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CONFIRMED MINUTES

Oberon Council Ordinary Meeting
Tuesday 19 May 2015

Commencing at 5.30pm
at the Oberon Council Chambers

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7. COMMUNITY PRESENTATIONS AND QUESTIONS

Rosie Ward and Kurt Booth addressed Council seeking support for a proposal to hold a Song Writing Contest for youth and Tribute Concert to honour the achievements of Mickey Pye. A copy of the outline of the proposal was circulated to Councillors. Rosie and Kurt outlined their vision for the events and advised they would like to do something for local youth. They have named the Father Chris Riley “Youth off the Streets” charity as a beneficiary of their events and are seeking Council endorsement. They also requested assistance from Council's Grants Officer and to liaise and collaborate with the Community Services Coordinator and the Oberon Youth Council.

The Mayor advised that he thinks this is a very worthwhile project and it will be referred to staff to further liaise with Rosie and Kurt.

Veronica Cvitanovic asked a question in relation to Item 13.02 of the Business Paper. Veronica asked if the intersection of Shooters Hill Road and Hargraves Quarry Road could also be addressed as one of the conditions applied to the development. Veronika advised she has previously written to Council about concerns that there is gravel on the corner and linemarking has not been refreshed for many years.

The Works and Engineering Director advised that this would be taken on notice and given consideration.

8. CONFIRMATION OF MINUTES

Ordinary Meeting 21 April 2015

Moved: Doney
Second: Francis

That the Minutes of the Ordinary Meeting held on 21 April 2015 be confirmed.

Carried 01 190515

Matters Arising from the Minutes

Nil

9. MAYORAL MINUTE AND REPORT

09.01 MAYORAL MINUTE AND REPORT

File No: Governance/Meetings/Ordinary
Author: Cllr John McMahon, Mayor

Summary

This report summarises the main activity for the Mayor since reported to the April Council Meeting.

Moved: McCarthy
Second: Gibbons

That Report Item 09.01 is received as information.

Carried 02 190515

10. NOTICES OF MOTIONS

10.01 NOTICE OF MOTION – REVIEW OF AUSTRALIA DAY AWARDS

File No: Community Services/Community Events/Australia Day
Author: Clr Kathy Sajowitz

Summary

That the concept of the Australia Day Awards be reviewed and amended to reflect more relevant categories and an efficient nomination and selection process.

Moved: Sajowitz
Second: Morgan

1. That a Committee is formed to review the categories, criteria and selection process of the Australia Day Award system currently in place.
2. The Committee to be comprised of 2 Councillors, 2 community members and 2 Council staff.

Carried 03 190515

Moved: Sajowitz
Second: Morgan

That Clr Sajowitz and Clr Evans be appointed as the Councillors to the Australia Day Committee and that advertising be undertaken to seek nominees from the community to be members of the Committee.

Carried 04 190515

10.02 NOTICE OF MOTION – ACCESS OFF BAILEY’S LANE

File No: R267
Author: Clr Clive McCarthy

Summary

Requesting details of access off Bailey’s Lane, north of Fish River to public road entry.

Moved: McCarthy
Second: Gibbons

That staff be requested to provide Councillors with details of access off Bailey’s Lane, north of the Fish River to public road entry (due to two recent reports).

Carried 05 190515

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10.02 NOTICE OF MOTION – FUNDING FOR IMPROVEMENTS TO ABERCROMBIE HILL

File No: R256.1
Author: Clr Clive McCarthy

Summary

Requesting Council source funding from State Government to improve the pavement and camber of the road on Abercrombie Hill.

Moved: McCarthy
Second: Francis

That Council source funding from State Government to improve the pavement and camber of the roadway south of Oberon known as Abercrombie Hill.

Carried 06 190515

11. COUNCILLOR AND DELEGATES REPORTS

11.01 OBERON BUSINESS AND TOURISM ASSOCIATION

File No: Economic Dev/OBTA
Author: Clr Sam Lord

Summary

General Manager, Alan Cairney and I attended the Oberon Business and Tourism Association Meeting held at the Oberon Golf Club on 22 April 2015. Mayor John McMahon submitted an apology for the meeting.

Moved: Lord
Second: McMahon

That Delegate's Report item 11.01 is received as information.

Carried 07 190515

11.02 CHIFLEY LOCAL AREA COMMAND COMMUNITY SAFETY PRECINCT COMMITTEE MEETING

File No: Community Services/Service Provision/Police Services (Community Precinct)
Author: Alan Cairney, General Manager

Summary

Deputy Mayor Kerry Gibbons, General Manager, Alan Cairney and community representative Leanne Barlow attended the last meeting of the Chifley Local Area Command Community Safety Precinct Committee, held on Monday 9 March 2015 in Bathurst.

Moved: McCarthy
Second: Lord

That Delegate's Report item 11.02 is received as information.

Carried 08 190515

11.03 OBERON ARTS COUNCIL

File No: Community Relations/Community Consultation/Oberon Arts Council
Author: Alan Cairney, General Manager

Summary

The Mayor, Councillor McMahon and the General Manager are Council's delegates to the Oberon Arts Council (OAC). The Mayor tendered an apology for the meeting held on Tuesday 28 April and I attended the meeting.

Moved: McCarthy
Second: Gibbons

That delegate's report item 11.03 is received as information and Council note the placement of the Australia Day Honour Board within the Council Administration Centre with an appropriate function to be arranged in conjunction with the Oberon Arts Council.

Carried 09 190515

12. COMMITTEE REPORTS

12.01 SENIORS WELFARE COMMITTEE

File: Governance/Meetings/Seniors Welfare Committee
Author: Lynette Safranek, Finance & Community Services Director

Summary

Minutes of the Seniors Welfare Committee Meeting held on 13 April 2015 are submitted for Council's information and consideration.

Moved: Morgan
Second: Evans

That report item 12.01 is received as information and that the Finance & Community Services Director speak with the local real estate agents to obtain their opinions on the need for low cost accommodation in Oberon.

Carried 10 190515

13. REPORTS FOR DECISION

13.01 2015 NSW YOUTH CONFERENCE

File No: Governance/Meetings/Ordinary/2015/May
Author: Lynette Safranek, Finance & Community Services Director

Summary

The 2015 NSW Youth Conference is being hosted by Eurobodalla Shire Council/Youth Committee from 11 to 13 September 2015. The Oberon Youth Council Working Party is looking to send four Youth Councillors, a staff member and a Councillor to this Conference.

Moved: Sajowitz
Second: McCarthy

That an allocation of \$880 be made in the Operational Plan 2015/16 to the Oberon Youth Council to assist with the cost of four Youth Councillors attending the 2015 NSW Youth Conference.

Carried 11 190515

13.02 QUARTERLY BUDGET REVIEW STATEMENT – JAN TO MAR 2015

File No: Governance/Meetings/Ordinary/May
Author: Lynette Safranek, Finance & Community Services Director and Tim Booth, acting Finance Coordinator

Summary

The Quarterly Budget Review Statement (QBRS) is presented with variations shown for income and expenditure for the period from 1 January to 31 March 2015.

Moved: McCarthy
Second: Sajowitz

That the Quarterly Budget Review Statements for the period ending 31 March be received and noted, and the revised Capital Budget item be amended.

Carried 12 190515

Councillor Doney and Councillor Lord requested their vote against the motion be recorded.

13.03 WATER PLANT LANE

File No: Roads/Acquisitions
Author: Chris Schumacher, Works and Engineering Director

Summary

This report outlines road acquisitions required to formalise the dedication as road of the Water Plant Lane which leads to the Oberon Water Treatment Plant.

Moved: McCarthy
Second: Gibbons

That Council endorse the acquisition of lands under the Land Acquisition (Just Terms Compensation) Act 1991, as required to formalise the dedication of road of the Water Plant Lane which leads to the Oberon Water Treatment Plant as well as lands currently encroached by water supply infrastructure.

Carried 13 190515

13.04 DEVELOPMENT APPLICATION 10.2015.25.1–CARPORT

File No: Property/PO44-27
Author: Kerry Davison, Health and Building Surveyor

Summary

A Development Application has been received for the construction of a carport at 27-29 Queen Street, Oberon. Variations to Development Control Plan (DCP) 2001 are sought, with particular reference to Part C.5.7 – “Setback from the Street”, and Part C.6.4 – “Carports and Garages”.

Moved: McCarthy
Second: Sajowitz

That Council vary Part C.5.7 – “Setback from the Street”, and Part C.6.4 – “Carports and Garages” of the Oberon Development Control Plan 2001 associated to Development Application 10.2015.7.1 for the construction of a carport at Lot 6 in DP 758805, Section 17, 27-29 Queen Street, Oberon.

Carried 14 1905015

In accordance with Section 375A of The Local Government Act 1993 the following votes are recorded for and against the Motion:

Votes For: Councillors McMahon, Francis, Gibbons, Morgan, Sajowitz, McCarthy, Lord, Doney and Evans
Against: Nil

13.05 HARGRAVES QUARRY – EXTENSION PROJECT

File No: Property
Author: Gary Wallace, Planning & Development Director, Chris Schumacher, Works & Engineering Director

Summary

The Department of Planning & Environment (DPE) has advised that an application has been received by Umwelt Pty Ltd on behalf of Hargraves Quarry seeking extension of operations for an additional 30 years. The DPE has asked for comments in relation to the project.

Moved: Morgan
Second: McCarthy

That Council endorse the five proposed outcomes detailed within the report relating to the proposed Hargraves Quarry extension project subject to confirmation from the Department of Planning & Environment that no further assessment is required for the additional haulage limits proposed.

Carried 15 190515

In accordance with Section 375A of The Local Government Act 1993 the following votes are recorded for and against the Motion:

Votes For: Councillors McMahon, Francis, Gibbons, Morgan, Sajowitz, McCarthy, Lord, Doney and Evans
Against: Nil

13.06 PLANNING PROPOSAL – 280 BURROUGHS CROSSING ROAD

File No: Property/PR53.280
Author: Gary Wallace, Planning & Development Director

Summary

A site specific Planning Proposal has been received for Lot 4 DP 264133, being known as 280 Burroughs Crossing Road, Oberon to enable a Function Centre to be undertaken on the land.

Moved: McCarthy
Second: Francis

That Council submit to Parliamentary Counsel for drafting and making the Planning Proposal for the use of a site specific Function Centre on land known as 280 Burroughs Crossing Road, Oberon.

Carried 16 190515

In accordance with Section 375A of The Local Government Act 1993 the following votes are recorded for and against the Motion:

Votes For: Councillors McMahon, Francis, Gibbons, Morgan, Sajowitz, McCarthy, Lord, Doney and Evans
Against: Nil

13.07 GRAVEL QUARRY INVESTIGATIONS

File No: Roads/Main/Roads
Author: Chris Schumacher, Works and Engineering Director

Summary

This report sets out a proposed course of action to investigate the possible future purchase of an additional gravel quarry for use on road works.

Moved: Gibbons
Second: Morgan

That an amount of \$20,000 be allocated in the Operational Plan 2015/16 budget from Gravel Pit Reserves for the investigation of possible future sources of gravel.

Carried 17 190515

13.08 DRAFT OBERON COMMUNITY STRATEGIC PLAN 2015

File No: Governance/Integrated Planning & Reporting/Community Strategic Plan
Author: Alan Cairney, General Manager

Summary

The Draft Oberon Community Strategic Plan (CSP) 2015 has now been prepared and is required to be placed on formal Public Exhibition, and following consideration of submissions received and any changes made by Council, the Oberon CSP 2015 will commence from 1 July 2015.

A Draft Resourcing Strategy which includes the Long Term Financial Plan (LTFP), Workforce Management Plan (WMP) and Asset Management Plan (AMP) have been revised and will also be placed on Public Exhibition.

Moved: Morgan
Second: Evans

1. That Council place the Draft Oberon Community Strategic Plan 2015 on Public Exhibition along with the Draft Delivery Program 2015/2016 to 2018/2019, the Draft Operational Plans 2015/2016 to 2018/2019 and the Draft Resourcing Strategy which includes:
 - Draft Long Term Financial Plan 2015/2016 to 2024/2025
 - Draft Workforce Management Plan 2015
 - Draft Asset Management Plan 2015
2. The period of Public Exhibition be from **Monday 25 May 2015 to Monday 22 June 2015** with written submissions closing on **22 June 2015**.
3. An Extraordinary Meeting be held **on Thursday 25 June 2015** to consider submissions received and to finalise the Oberon Community Strategic Plan 2015, Delivery Program and Operational Plans.

Carried 18 190515

13.09 TENDER T2015/2 – PURCHASE OF TRUCK AND DOG

File No: BCS/Plant Equipment and Stores/Acquisition/Purchase
Author: Chris Schumacher, Director of Works & Engineering

Summary

Tenders were invited through Tenderlink for the Supply and Delivery of a Truck and Dog to replace Plant 54 and 55, as identified in the adopted Plant Replacement Program.

Moved: Lord
Second: Gibbons

- 1) That the Tender from VCV Sydney/Mack to supply a Mack Trident 535HP/M-Drive Auto/Sloanebuilt truck be accepted for tendered price of \$377,427.60.
- 2) The Tender from Pickles Auctions for the purchase of the Mack Vision truck for \$42,300 be accepted.

Carried 19 190515

13.10 COUNCIL COMMITTEES

File No: Governance/Meetings/Committees General

Author: Alan Cairney, General Manager and Sharon Swannell, Executive Coordinator

Summary

There are a number of Section 355 Committees and other Council Committees. This report recommends the creation of the Black Springs Community Hall Committee and seeks a Councillor appointment to this Committee.

Moved: Gibbons
Second: Sajowitz

That a Section 355 Committee be formed to assist in the management of the Black Springs Community Hall.

That Councillor Gibbons be appointed to Chair the Black Springs Community Hall Committee; and that the General Manager and the Chair make arrangements to seek community representatives to be appointed to the Committee.

Carried 20 190515

13.11 JENOLAN CARAVAN PARK LEASE

File No: PO14.7

Author: Alan Cairney, General Manager

Summary

During early 2012 the lease of the Jenolan Caravan Park was agreed to be transferred from the previous lessee A and BW Clarke (MJBA Pty Ltd) to the current operators R and S Parrington (Horizon Park Management Pty Ltd). New Lease documents were prepared and submitted to the Crown Lands Department for approval and execution. Due to delays further negotiation has been necessary to provide valid and enforceable lease documents. This report seeks Council endorsement to these negotiations.

Moved: Sajowitz
Second: Gibbons

That Council agree to the revised commencement dates for the new lease of the Jenolan Caravan Park to R and S Parrington and Horizon Park Management Pty Ltd for 25 years from May 2015 and expiring in May 2040 for the Caravan Park and adjacent Residence.

That the review dates for market increases in the rental amounts payable to Oberon Council by the lessee be made at every 5 yearly intervals from March 2012, being the date originally proposed for the commencement of the new lease.

That Council agree to pay the lessee's legal fees in this instance.

Carried 21 190519

14. REPORTS FOR INFORMATION

14.01 MONTHLY ACTIVITY REPORT – GENERAL MANAGER

File No: Governance/Meetings/Ordinary
Author: Alan Cairney, General Manager

Summary

This report item summaries the main activity by the General Manager during April including Human Resources and Workplace Health & Safety, Executive Support matters, Information Technology & Communications, Community Activity, Regional Issues, Executive Management Team, and details of planned activity for the coming months.

14.02 MONTHLY ACTIVITY REPORT – PLANNING AND DEVELOPMENT

File: Governance/Meetings/Ordinary
Author: Gary Wallace, Planning and Development Director

Summary

Providing details of major work within the Planning & Development Department for April and May and provide information on statistics of work that has occurred in April.

14.03 MONTHLY ACTIVITY REPORT - WORKS AND ENGINEERING

File: Governance/Meetings/Ordinary
Author: Chris Schumacher, Works and Engineering Director and Ian Tucker, Works Manager

Summary

Providing a summary of the major work in the Works & Engineering Department for the month of April 2015 plus planned work for the coming months.

14.04 MONTHLY ACTIVITY REPORT – FINANCE & COMMUNITY SERVICES

File No: Governance/Meetings/Ordinary
Author: Lynette Safranek, Finance and Community Services Director

Summary

This report provides a summary of major work within the Finance and Community Services Department during April 2015, plus planned activities for the following months.

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14.05 STATEMENT OF INVESTMENTS

File No: Financial Management/Investments/Register
Author: Timothy Booth, Management Accountant

Summary

Reporting the Statement of Investments as at 30 April 2015.

14.06 COUNCILLOR REQUEST FORMS

File No: Governance/Councillors
Author: Alan Cairney, General Manager

Summary

Providing an update on the status of Councillor Request Forms submitted during the last month.

Moved: Morgan
Second: Lord

That report item 14.01 to 14.06 is received as information.

Carried 22 190515

15. URGENT BUSINESS

Nil

16. CLOSED SESSION / CONFIDENTIAL REPORTS

16.01 WATER RATES WRITE-OFF

File No: Governance/Meetings/Ordinary/May
Author: Lynette Safranek, Finance & Community Services Director

This item is classified CONFIDENTIAL under Section 10A(2)(a) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

- (a) Personal matters concerning particular individuals (other than Councillors)

16.02 COUNCIL PROPERTY

File No: File No: Governance/Ordinary/Confidential
Author: Alan Cairney, General Manager

This report item contains matters and information which relate to Section 10A (1) – (3) of the Local Government Act 1993.

This report item contains matters and information listed in Section 10A (2) of the Act:

- (c) Information that would if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

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16.03 ROAD INSPECTIONS

File No: Risk Mgt/WHS/Check Sheets/Rd Insp
Author: Ian Tucker, Works Manager

This report item contains matters and information which relate to Section 10A (1) – (3) of the Local Government Act 1993.

This report item contains matters and information listed in Section 10A (2) (a) of the Act:

- (a) Personnel matters concerning particular individuals (other than Councillors)

Moved: Sajowitz
Second: Francis

That:

1. Council resolve into Closed Council to consider business identified, together with any late confidential reports tabled at the meeting.
2. Pursuant to Section 10A(1)-(3) of the *Local Government Act 1993*, the media and public be excluded from the meeting on the basis that the business to be considered is classified as confidential under the provisions of Section 10A(2) as outlined above.
3. The correspondence and reports relevant to the subject business be withheld from access to the media and public as required by Section 11(2) of the *Local Government Act 1993*.

Carried 23 190515

Council moved into a Closed Session at 8.23pm, members of the public present left the meeting at this time.

16.01 WATER RATES WRITE-OFF

File No: Governance/Meetings/Ordinary/May
Author: Lynette Safranek, Finance & Community Services Director

Moved: Doney
Second: Evans

That Council approve the write off of \$5,422.76 for account 12370851 to assist with the excessive Water Rates account.

That Council accept a staggered payment schedule for the remaining balance of the water rates account on a quarterly basis.

Carried 24 190515

16.02 COUNCIL PROPERTY

File No: File No: Governance/Ordinary/Confidential
Author: Alan Cairney, General Manager

Moved: Doney
Second: Gibbons

That Council accept the offer in accordance with the staff report for Lots 199, 200 and 201 in DP 1199292 within the Albion Street Industrial Subdivision.

That the proceeds from all land sales be transferred to the Land Bank Reserve for consideration of Council.

Amendment Moved: McCarthy
Second: Francis

That Council accept the offer in accordance with the staff report for Lots 199, 200 and 201 in DP 1199292 within the Albion Street Industrial Subdivision.

The Amendment was put and lost. The Original motion stands.

Moved: Doney
Second: Gibbons

That Council accept the offer in accordance with the staff report for Lots 199, 200 and 201 in DP 1199292 within the Albion Street Industrial Subdivision.

That the proceeds from all land sales be transferred to the Land Bank Reserve for consideration of Council.

Carried 25 190515

16.03 ROAD INSPECTIONS

File No: Risk Mgt/WHS/Check Sheets/Rd Insp
Author: Ian Tucker, Works Manager

Moved: Doney
Second: Gibbons

That report item 16.03 be received as information.

Carried 26 190515

Open Council resumed at 8.55pm.

The Mayor advised that resolutions 24 190515, 25 190515 and 26 190515 were made by Council while the meeting was closed to the public. There were no members of the public present.

17. CLOSURE OF MEETING

The Meeting closed at 8.58pm

The next Ordinary Meeting of Oberon Council will be held on:

Tuesday 16 June 2015
commencing at 5.30pm

in the Oberon Council Chambers
137 – 139 Oberon Street, Oberon.